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● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery ^{1/Extra charge}

3. Article Addressed to: MR. & MRS. RUSSELL BUTZ
RD # 3
BOX 3348
BEDFORDS, PA 18352

4. Article Number: P 097 481 661

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee: *Russell Butz*

6. Signature - Agent: *XCO*

7. Date of Delivery: 4/7/90

8. Addressee's Address (ONLY if requested and fee paid):
RP 3 BX 3348
Stroudsburg, PA 18352

PS Form 3811, Mar. 1987 * U.S.G.P.O. 1987-178-268 DOMESTIC RETURN RECEIPT

AR200008

P 097 481 661

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	
M+M RUSSELL C. BUTZ	
Street and No.	
RD # 3 Box 3348	
P.O. State and ZIP Code	
REEDERS, PA. 18352	
Postage	S
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	S
AR2000009	
Postmark or Date	

PS Form 3800, June 1985



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

GENERAL NOTICE LETTER

URGENT LEGAL MATTER -- PROMPT REPLY NECESSARY

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

APR 4 1990

Mr. & Mrs. Russell C. Butz
RD #3
Box 3348
Reeders, PA 18352

#P097481661

Re: Butz Landfill Superfund Site
Reeders, Pennsylvania

Dear Mr. & Mrs. Butz:

This letter notifies you of potential liability, as defined by Section 107(a) of the Comprehensive Environmental Response Compensation, and Liability Act, 42 U.S.C. Section 9607(a), as amended (CERCLA), that you may incur or may have incurred with respect to the above-referenced site. This letter also notifies you of potential response activities at the site, which you may be asked to perform or finance at a later date.

NOTICE OF POTENTIAL LIABILITY

The United States Environmental Protection Agency (EPA) has documented the release or threatened release of hazardous substances, pollutants, or contaminants at the above-referenced site. EPA has spent, or is considering spending, public funds on actions to investigate and control such releases or threatened releases at the site. Unless EPA reaches an agreement under which a potentially liable party or parties will properly perform or finance such actions, EPA may perform these actions pursuant to Section 104 of CERCLA.

Under Sections 106(a) and 107(a) of CERCLA, 42 U.S.C. Sections 9606(a) and 9607(a), Section 7003 of the Resource Conservation and Recovery Act, 42 U.S.C. Section 6973, as amended (RCRA), and other laws, potentially liable parties may be ordered to perform response actions deemed necessary by EPA to protect the public health, welfare or the environment, and may be liable for all costs incurred by the government in responding to any release or threatened release at the site. Such actions and costs may include, but are not limited to, expenditures for conducting a Remedial Investigation/Feasibility Study (RI/FS), conducting a Remedial Design/Remedial Action (RD/RA), and other investigation, planning, response, oversight, and enforcement activities. In

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addition, potentially liable parties may be required to pay for damages for injury to, destruction of, or loss of natural resources, including the cost of assessing such damages.

EPA has evaluated information in connection with the investigation of the site. Based on this information, EPA believes that you may be a potentially responsible party (PRP) with respect to this site. Potentially responsible parties under CERCLA include current and former owners and operators of the site as well as persons who arranged for disposal or treatment of hazardous substances sent to the site, or persons who accepted hazardous substances for transport to the site. By this letter, EPA notifies you of your potential liability with regard to this matter and encourages you to voluntarily perform or finance those response activities that EPA determines are necessary at the site.

In accordance with CERCLA and other authorities, EPA has already undertaken certain actions and incurred certain costs in response to conditions at the site. These response actions include a magnetometer survey of the landfill for buried metal, a gas survey to determine the extent of contamination; the placement of monitoring wells to assess ground water contamination; the sampling of residential well water; and the supplying of bottled drinking water and carbon filtration systems to residences having contaminated well water. In addition, EPA has compiled a hydrologic study of the contaminated area and is currently developing an Engineering Evaluation and Cost Analysis document (EE/CA) which will assess alternatives available to develop a long-term solution to the problem of contaminated residential water supplies.

SPECIAL NOTICE AND NEGOTIATION MORATORIUM

You may receive an additional notice from EPA in the future. That notice would either inform you that EPA is using the CERCLA Section 122(e) special notice procedures to formally negotiate terms of a consent order or consent decree to conduct or finance site response activities, or it would inform you that EPA is not using such procedures pursuant to Section 122(a). If EPA does not use Section 122(e) special notice procedures, the notice would specify why the special notice procedures were not appropriate in this case.

Under Section 122(e), EPA has the discretionary authority to use the special notice procedures if EPA determines that such procedures would facilitate an agreement between EPA and the PRPs and would expedite remedial action at the site. Use of the special notice procedures triggers a moratorium on certain EPA activities at the site. The purpose of the moratorium is to provide a period of time when PRPs and EPA may enter into formal

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negotiations for PRP conduct or financing of the response activities at the site.

The initial moratorium for the RI/FS lasts for 60 days after the notice. If EPA determines that an offer to perform or finance the activities is submitted by the PRPs within those 60 days, and that the offer is a good faith offer, a 30-day extension is provided for by statute for further negotiations. The initial moratorium for the RD/RA also lasts for 60 days after the notice. If EPA determines that an offer is submitted by the PRPs within those 60 days, and that the offer is a good faith offer, a 60 day extension is provided for by statute for further negotiations.

If EPA determines that a good faith offer has not been submitted within the first 60 days of the moratorium period, EPA may terminate the negotiation moratorium under Section 122(e)(4) of CERCLA. EPA then may commence such cleanup or enforcement actions as it deems appropriate. In the absence of an agreement with the parties to perform or finance the necessary response activities, EPA may undertake these activities and pursue civil litigation against the parties for reimbursement of site expenditures. Alternatively, EPA may issue an administrative order pursuant to Section 106(a) of CERCLA to require PRPs to commence response activities, or may commence civil litigation pursuant to Section 106(a) of CERCLA to obtain similar relief. Failure to comply with an administrative order issued under Section 106(a) of CERCLA may result in a fine of up to \$25,000 per day, under Section 106(b) of CERCLA, or imposition of treble damages, under Section 107(c)(3).

SITE RESPONSE ACTIVITIES

At present, EPA is planning to conduct the following studies at the site:

1. Remedial Investigation (RI) to identify the site characteristics and to define the nature and extent of soil, air, surface water, and ground water contamination at the site and risks posed by the site.
2. Feasibility Study (FS) to evaluate alternative remedial actions to remove, treat, or contain hazardous substances, pollutants, and contaminants at the site.

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INFORMATION TO ASSIST RESPONSIBLE PARTIES

EPA would like to encourage good faith negotiations between the PRPs and EPA, as well as among the PRPs. To assist PRPs in preparing a proposal and in negotiating with EPA concerning this matter, EPA is providing a list of names and addresses of PRPs to whom this notification is being sent. This list represents EPA's preliminary findings on the identities of PRPs. Inclusion on, or exclusion from, the list does not constitute a final determination by EPA concerning the liability of any party for the release or threat of release of hazardous substances at the site.

PRP STEERING COMMITTEE

EPA recommends that all PRPs meet to select a steering committee responsible for representing the group's interests. Establishing a manageable group is critical for successful negotiations with EPA. Alternatively, EPA encourages each PRP to select one person from its company or organization who will represent its interests.

ADMINISTRATIVE RECORD

Pursuant to CERCLA Section 113(k) EPA must establish an administrative record that contains documents that form the basis of EPA's decision on the selection of a response action for a site. The administrative record files, which contain the documents related to the response action selected for this site are available to the public for inspection and comment. The primary location is generally the EPA Regional office. A repository will also be established near the site.

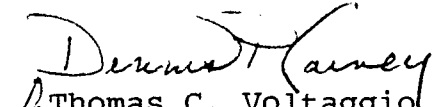
PRP RESPONSE AND EPA CONTACT

You are encouraged to contact EPA within fourteen calendar days of your receipt of this letter to indicate your willingness to participate in future negotiations at this site. You may respond individually or through a steering committee if such a committee has been formed.

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If you have any questions pertaining to this letter, please contact or direct your attorney to contact either David Garrison, Office of Regional Counsel, at (215) 597-9954, or Victor Janosik, Remedial Project Manager at (215) 597-8996.

Sincerely,


Thomas C. Voltaggio
Director, Office of Superfund.

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